

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

CPC PATENT TECHNOLOGIES PTY LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-00165-ADA

JURY TRIAL DEMANDED

**APPLE'S NOTICE OF SUPPLEMENTAL AUTHORITY
TO ITS MOTION FOR INTER-DISTRICT TRANSFER**

As identified in Apple's August 23, 2021 Status Report, Apple's Motion for Inter-District Transfer has been fully brief and is ready for resolution. Dkt. No. 33. Yesterday, in its overlapping litigation against Plaintiff CPC Patent Technologies PTY Ltd., HMD Global Oy filed a Notice of Non-Opposition to Apple's motion to transfer. *See CPC Patent Technologies PTY Ltd., v. HMD Global Oy*, No. 6:21-cv-00166-ADA (W.D. Tex.), Dkt. No. 23. It states:

[HMD] notifies the Court of its non-opposition to Apple's Motion. HMD further notifies the Court that, were the Court to grant Apple's Motion, HMD would not oppose a transfer of venue of the HMD Action to the Northern District of California were the Court to find such a transfer appropriate *e.g.* to conserve judicial resources or to avoid potentially inconsistent rulings on the same issues from two different forums.

Id. at 1-2. In its opposition to Apple's Motion for Inter-District Transfer, CPC stated that "HMD has answered and has not challenged venue." Dkt. No. 30, at 11. To the extent that the Court considers this argument persuasive, HMD's Notice of Non-Opposition is supplemental information for the Court.

Date: September 1, 2021

Respectfully submitted,

/s/ Seth M. Sproul

Seth M. Sproul (admitted *Pro Hac Vice*)
CA Bar No. 217711
FISH & RICHARDSON P.C.
12860 El Camino Real, Suite 400
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
sproul@fr.com

Benjamin C. Elacqua
TX Bar No. 24055443
Tony Nguyen
TX Bar No. 24083565
Kathryn Quisenberry
TX Bar No. 24105639
FISH & RICHARDSON P.C.
1221 McKinney Street, Suite 2800
Houston, TX 90067
Telephone: (713) 654-5300
Facsimile: (713) 652-0109
elacqua@fr.com
nguyen@fr.com
quisenberry@fr.com

Joy B. Kete (admitted *Pro Hac Vice*)
MA Bar No. 694323
FISH & RICHARDSON P.C.
One Marina Park
Boston, MA 02210
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
kete@fr.com

Betty H. Chen
TX Bar No. 24056720
FISH & RICHARDSON P.C.
500 Arguello St.
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Eda Stark

Massachusetts Bar No. 703974
FISH & RICHARDSON P.C.
1180 Peachtree Street NE, 21st Floor
Atlanta, GA 30309
Telephone: (404) 892-5005
stark@fr.com

J. Stephen Ravel
TX Bar No. 16584975
Kelly Ransom
TX Bar No. 24109427
KELLY HART & HALLMAN LLP
303 Colorado, Suite 2000
Austin, TX 78701
Telephone: (512) 495-6429
steve.ravel@kellyhart.com
kelly.ransom@kellyhart.com

Attorneys for Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

<p>George C. Summerfield James A. Shimota K&L Gates LLP 70 W. Madison Street, Suite 3300 Chicago, IL 60602 Summerfield@stadheimgear.com Jim.Shimota@klgates.com</p> <p>Elizabeth Abbott Gilman K & L Gates LLP 1000 Main, Suite 2550 Houston, TX 77002 Beth.Gilman@klgates.com</p>	<p>Stewart Mesher K & L Gates LLP 2801 Via Fortuna, Suite 350 Austin, TX 77002 stewart.mesher@klgates.com Attorneys for CPC Patent Technologies Pty Ltd.</p>
--	--

/s/ Seth M. Sproul

Seth M. Sproul